



# House of Representatives

General Assembly

**File No. 287**

*January Session, 2003*

Substitute House Bill No. 6090

*House of Representatives, April 10, 2003*

The Committee on Government Administration and Elections reported through REP. O'ROURKE of the 32nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT PROHIBITING MEMBERS OF THE STATE COMMISSION ON THE ARTS FROM SOLICITING CONTRIBUTIONS FROM GRANT RECIPIENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-333x of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 The following persons shall be guilty of illegal practices and shall be  
4 punished in accordance with the provisions of section 9-333y:

5 (1) Any person who, directly or indirectly, individually or by  
6 another person, gives or offers or promises to any person any money,  
7 gift, advantage, preferment, entertainment, aid, emolument or other  
8 valuable thing for the purpose of inducing or procuring any person to  
9 sign a nominating, primary or referendum petition or to vote or refrain  
10 from voting for or against any person or for or against any measure at  
11 any election, caucus, convention, primary or referendum;

12       (2) Any person who, directly or indirectly, receives, accepts,  
13 requests or solicits from any person, committee, association,  
14 organization or corporation, any money, gift, advantage, preferment,  
15 aid, emolument or other valuable thing for the purpose of inducing or  
16 procuring any person to sign a nominating, primary or referendum  
17 petition or to vote or refrain from voting for or against any person or  
18 for or against any measure at any such election, caucus, primary or  
19 referendum;

20       (3) Any person who, in consideration of any money, gift, advantage,  
21 preferment, aid, emolument or other valuable thing paid, received,  
22 accepted or promised to the person's advantage or any other person's  
23 advantage, votes or refrains from voting for or against any person or  
24 for or against any measure at any such election, caucus, primary or  
25 referendum;

26       (4) Any person who solicits from any candidate any money, gift,  
27 contribution, emolument or other valuable thing for the purpose of  
28 using the same for the support, assistance, benefit or expenses of any  
29 club, company or organization, or for the purpose of defraying the cost  
30 or expenses of any political campaign, primary, referendum or  
31 election;

32       (5) Any person who, directly or indirectly, pays, gives, contributes  
33 or promises any money or other valuable thing to defray or towards  
34 defraying the cost or expenses of any campaign, primary, referendum  
35 or election to any person, committee, company, club, organization or  
36 association, other than to a campaign treasurer, except that this  
37 subdivision shall not apply to any expenses for postage, telegrams,  
38 telephoning, stationery, express charges, traveling, meals, lodging or  
39 photocopying incurred by any candidate for office or for nomination to  
40 office, so far as may be permitted under the provisions of this chapter;

41       (6) Any person who, in order to secure or promote the person's own  
42 nomination or election as a candidate, or that of any other person,  
43 directly or indirectly, promises to appoint, or promises to secure or  
44 assist in securing the appointment, nomination or election of any other

45 person to any public position, or to any position of honor, trust or  
46 emolument; but any person may publicly announce the person's own  
47 choice or purpose in relation to any appointment, nomination or  
48 election in which the person may be called to take part, if the person is  
49 nominated for or elected to such office;

50 (7) Any person who, directly or indirectly, individually or through  
51 another person, makes a payment or promise of payment to a  
52 campaign treasurer in a name other than the person's own, and any  
53 campaign treasurer who knowingly receives a payment or promise of  
54 payment, or enters or causes the same to be entered in the person's  
55 accounts in any other name than that of the person by whom such  
56 payment or promise of payment is made;

57 (8) Any person who knowingly and wilfully violates any provision  
58 of this chapter;

59 (9) Any person who offers or receives a cash contribution in excess  
60 of one hundred dollars to promote the success or defeat of any political  
61 party, candidate or referendum question;

62 (10) Any person who solicits, makes or receives a contribution that  
63 is otherwise prohibited by any provision of this chapter; [or]

64 (11) Any department head or deputy department head of a state  
65 department who solicits a contribution on behalf of, or for the benefit  
66 of, any candidate for state, district or municipal office or any political  
67 party; or

68 (12) Any member of the State Commission on the Arts who solicits a  
69 contribution on behalf of, or for the benefit of, any candidate for state,  
70 district or municipal office, any political committee or any political  
71 party from (A) an owner, director or officer of an entity that has  
72 applied for or received a grant from the commission during the  
73 preceding four years, (B) an employee of such an entity who has  
74 managerial or discretionary responsibilities with respect to such a  
75 grant, (C) the spouse or a dependent child of an individual described

76 in subparagraph (A) or (B) of this subdivision, or (D) a political  
77 committee established by or on behalf of an individual described in  
78 subparagraph (A), (B) or (C) of this subdivision.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>

**GAE**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
State Commission on the Arts	GF - Cost	None	None
Elect. Enforcement Com.	GF - Cost	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill prohibits members of the State Commission on the Arts from soliciting campaign contributions from arts commission grant recipients and grant applicants for state, district, or municipal office candidates, a political party, or political committee.

This bill has no fiscal impact on the arts commission. The bill may increase the number of complaints and investigations the State Elections Enforcement Commission handles. It is anticipated that this workload increase will not require additional appropriations.

**OLR Bill Analysis**

sHB 6090

**AN ACT PROHIBITING MEMBERS OF THE STATE COMMISSION  
ON THE ARTS FROM SOLICITING CONTRIBUTIONS FROM  
GRANT RECIPIENTS****SUMMARY:**

This bill bans a member of the State Commission on the Arts from soliciting campaign contributions from certain people and entities for (1) a candidate for state, district, or municipal office; (2) a political party; or (3) a political committee (known as a PAC). The bill prohibits solicitations from:

1. an owner, director, or officer of an entity that has applied for or received a grant from the arts commission in the past four years, or such a person's spouse or dependent child;
2. an employee of such an entity who has managerial or discretionary responsibilities connected to such a grant, or such a person's spouse or dependent child;
3. a PAC established by anyone covered above.

The bill makes such a solicitation an illegal practice, subject to a penalty of a fine of up to \$5,000, up to five years' imprisonment, or both, for anyone who knowingly and willfully violates the ban.

EFFECTIVE DATE: July 1, 2003

**BACKGROUND*****The State Commission on the Arts***

The governor and legislative leaders appoint 21 members of the commission's board of directors and the law makes the president of the Connecticut Advocates for the Arts and any member of the National Council on the Arts who lives in Connecticut members as well. The governor's appointees serve four-year terms and the legislative appointees serve two-year terms (CGS § 10-369).

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 10      Nay 5